

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

LANDWORKS CREATIONS, LLC,
Plaintiff,

v.

UNITED STATES FIDELITY AND
GUARANTY COMPANY, and
LOVETT SILVERMAN CONSTRUCTION
CONSULTANTS, INC.
Defendant,

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C.A. No. 4:05-CV-40072-FDS

JOINT AGREED-UPON TRIAL EXHIBIT LIST OF THE PARTIES

Now come the Parties who jointly list the following agreed-upon trial exhibits:

No.	DOCUMENTS
1	Contract Drawings L 1.1 – L 1.10
2	Project Manual Division 2 – Site Construction Site Specifications 02060 - 02930
3	Agreement between Standen and Landworks dated August 28, 2003 (Subcontract)
4	Performance Bond
5	Subcontractor Hold Agreement Conditional Partial Release between Landworks and USF&G, dated March 23, 2004
6	Jackson Construction Company 's checks payable to Landworks
7	Jackson Construction Company Change Orders #1, #2, and #3
8	Letter to Mr. Jack Ferguson, CTM from Michael A. Pagano, A.I.A., Lamoureux Pagano Associates dated February 2, 2005 regarding Requisition #23. Attachments: Monetized Punch List Summary Allowances for Unfinished Items
9	CTM Site Work Items to be completed, dated September 22, 2004

10	Jackson's Oak Middle School Completion Game Plan dated July 20, 2004
11	CTM Contractor Deficiency List, dated March 19, 2004
12	Contract Information Worksheet by Richard McGuinness from Jackson Construction Company
13	Subcontract Agreement between Jackson Construction Company and Landworks dated April 29, 2004
14	Standard Form of Completion Agreement between USF&G and Completion Contractor (Jackson Construction Company) dated May 11, 2004
15	Landworks Daily Field Reports
16	Fax Transmittal to Neal Matthews, Landworks from Jennifer Mitchell, Jackson Construction Company dated July 26, 2004 attaching the athletic field site report by Waterman Design dated July 1, 2004
17	Letter to Todd Manning and Katie Crockett, Lamoureux Pagano Associates from Jeff Richards, Waterman Design Associates, Inc. dated August 26, 2004
18	Letter to Katie Crockett, Lamoureux Pagano Associates from Jim Kokernak, CTM re: Project #0204 dated September 20, 2004
19	Landworks' Weekly Payroll Report Forms
20	Fax Transmittal to Neal Matthews, Landworks from Jennifer Fletcher, Jackson Construction Company dated October 19, 2004 attaching letter to Richard McGuinness, Jackson Construction Company from Kathryn Crockett, Lamoureux Re: Site walks and ramps
21	Letter to Mr. Todd Manning and Ms. Katie Crockett, Lamoureux Pagano Associates from Jeff Richards, RLA, Associate, Waterman Design Associates dated December 7, 2004 Re: Deficiencies List – Fall '04

Respectfully submitted,

LANDWORKS CREATIONS, LLC
by it attorney

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**UNITED STATES FIDELITY &
GUARANTY COMPANY,**
By its attorneys,

/s/ Peter G. Hermes
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Dated: May 19, 2008

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants (none) on May 19, 2008.

/s/ Peter G. Hermes
Peter G. Hermes